

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,)
)
Petitioner,)
)
v.) Civil No. 4:06-mc-00298
)
RICHARD S. OHENDALSKI,)
)
Respondent.)

NOTICE OF SUBSTANTIAL COMPLIANCE

The United States hereby notifies that the Court that the defendant, Richard S. Ohendalski, has produced additional records to the Internal Revenue Service pursuant to the Court's order of October 2, 2006. (Doc. # 22.) The IRS has reviewed the documents and determined that Ohendalski has substantially complied with the summonses attached to the Court's order of September 11, 2006. (Doc. # 11.) The IRS has not yet determined whether Ohendalski has produced all of the requested documents, and reserves the right to renew its motion for contempt if it determines that additional documents in Ohendalski's possession have not been produced.

Because he has substantially complied with the summonses, the United States requests that Ohendalski be released from custody with the United States Marshals Service, as described

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in the accompanying Motion to Lift Order of Incarceration.

Respectfully submitted,

DONALD J. DEGABRIELLE, JR.
United States Attorney

s/ Jacqueline C. Brown
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Dated: October 6, 2006

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that the foregoing Notice of Substantial Compliance has been filed electronically with the Court's CM/ECF system, and that a copy has been served upon the following by United States mail, postage prepaid, this 6th day of October, 2006.

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